

LR42-AR00-3.4

LOCAL RULE CONCERNING CASELOAD ALLOCATION PLAN

This rule is adopted pursuant to the inherent powers of these Courts and in order to comply with the provisions of Administrative Rule 1(E) enacted by the Indiana Supreme Court on January 1, 2006. This rule governs the assignment of cases in the three Knox County Courts as follows:

1. On or before April 1 of each year, the Judges of the Knox County Courts shall meet to review the Weighted Caseload Measures statistics as calculated by the Division of State Court Administration from the preceding calendar year. The utilization percentage between the Courts shall be re-evaluated yearly to assess what actual disparities may exist. In the event the utilization percentages of the Courts are within forty percentage points (40%) of each other, it shall be presumed that no action is necessary to reduce the disparity. If the utilization percentage between the Courts differs by more than forty percentage points (40%) in a calendar year, it shall be presumed that the disparity must be reduced.
2. Should action be required to reduce a disparity in caseload, the Judges may agree to accomplish the reduction in any reasonable manner.
3. Effective April 1, 2007, the Knox Superior Court II shall no longer accept "PL" (civil plenary), "MF" (mortgage foreclosures), and "CT" (civil tort) filings. Instead, these cases shall be filed in the Knox Circuit Court or in the Knox Superior Court 1.
4. Eviction cases shall continue to be filed in the Knox Superior Court II, but, effective immediately, eviction cases shall be filed as a "CC" (civil collection) filing rather than as an "MI" (miscellaneous) filing. First Quarter 2007 eviction cases previously filed in the Knox Superior Court II under an "MI" cause number shall be re-docketed

as a “CC” filing for purposes of the QCRS Reports due April 10, 2007.

The Judges of the Knox Circuit Court, the Knox Superior Court 1, and the Knox Superior Court II, pursuant to Trial Rule 81(D), now find that good cause exists to deviate from the schedule established by the Division of State Court Administration for the publishing of local rules and find that the foregoing rule shall be adopted as a local court rule in compliance with the provisions of Trial Rule 81(A). After approval by the Division of State Court Administration, the posting for 30 days in the Knox County Clerk’s Office and on the Knox County Clerk’s website, and on the Indiana Judicial website, Knox County Local Rule #LR41-AR00-3.4, as set forth above, shall become effective April 1, 2007.

Dated this 26th day of February, 2007.

Sherry L. Biddinger Gregg
Judge, Knox Circuit Court

W. Timothy Crowley
Judge, Knox Superior Court 1

Jim R. Osborne
Knox Superior Court II